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August 23, 2007

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001



**RE: *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, Docket No. AB-103 (Sub-No. 21X)***

***Vicksburg Southern Railroad, Inc. – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, Docket No. AB-1016X***

Dear Secretary Williams

Enclosed please find an original and eleven copies of a joint Petition for Exemption by The Kansas City Southern Railway Company ("KCSR") for the abandonment of a line of railroad in the City of Vicksburg and Warren County, MS, and Petition for Exemption by the Vicksburg Southern Railroad, Inc. ("VSOR") to discontinue common carrier operations over the same line. Please date stamp the extra copy and return it to our courier. Also enclosed is a draft *Federal Register* notice pursuant to 49 CFR 1152.60(c).

Finally, pursuant to 49 CFR 1002.2(f)(21)(iii) I have enclosed a filing fee check in the amount of \$5,400.00. Please acknowledge the receipt and filing of the enclosed notice of exemption by time stamping the eleventh copy and returning it to the courier for delivery to me. If there are any questions about this matter, please contact me directly, either by telephone (202) 663-7823 or by email [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com).

Respectfully submitted,

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Office of Proceedings

AUG 24 2007

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Public Record

*William A. Mullins / RAV*  
William A. Mullins

**FEE RECEIVED**

AUG 24 2007

**SURFACE  
TRANSPORTATION BOARD**

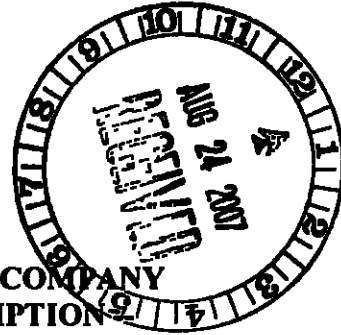
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**SURFACE  
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**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

**STB DOCKET NO. AB-103  
(SUB-NO. 21X)**



**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
– ABANDONMENT PETITION FOR EXEMPTION  
LINE IN WARREN COUNTY, MS**

**STB DOCKET NO. AB-1016X**

**VICKSBURG SOUTHERN RAILROAD, INC.  
– DISCONTINUANCE OF SERVICE PETITION FOR EXEMPTION –  
LINE IN WARREN COUNTY, MS**

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Dated August 23, 2007

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**STB DOCKET NO. AB-103  
(SUB-NO. 21X)**

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**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
– ABANDONMENT PETITION FOR EXEMPTION –  
LINE IN WARREN COUNTY, MS**

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**VICKSBURG SOUTHERN RAILROAD, INC.  
– DISCONTINUANCE OF SERVICE PETITION FOR EXEMPTION –  
LINE IN WARREN COUNTY, MS**

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**INTRODUCTION**

Pursuant to 49 U.S.C. 10502 and the Rules applicable thereto at 49 CFR Parts 1121 and 1152, and the Special Rules at 49 CFR 1152.60, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") jointly file their respective petitions seeking exemptions from the provisions of 49 U.S.C. 10903 for – (1) KCSR to abandon approximately 4.25 miles of rail line sometimes referred to alternatively as the Vicksburg Industrial Lead, South Redwood Branch or Redwood Branch ("Line"), extending from Milepost 225.6 (south of the Line's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) and Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits), and (2) VSOR to discontinue common carrier service over the Line. Maps showing the Line are attached as Exhibits 1 and 3 to the Environmental and Historic Report, which is Exhibit A to this joint petition.

The abandonment and discontinuance exemptions should be granted because they are limited in scope, involving only 4.25 miles of rail line, and because regulation is not necessary to protect shippers from an abuse of market power. As explained below, there is little traffic moving over the Line, that traffic can easily be handled at other facilities at Vicksburg or elsewhere, and KCSR and VSOR have, over the past few years incurred operating losses in moving traffic over the Line. Likewise, granting the exemptions is fully consistent with the National Rail Transportation Policy of 49 U.S.C. 10101.

A principal purpose of the proposed abandonment and discontinuance, in addition to ending operating losses that would be associated with continued service over the Line, is to facilitate the plans of the City of Vicksburg (the "City") and developers working in concert with the City to develop land adjacent to and straddling the Line's right-of-way. In connection with these plans, KCSR and VSOR have agreed that, should KCSR's petition be granted, the City would seek to convert the Line's right-of-way into a rail trail pursuant to the Board's Notice of Interim Trail Use ("NITU") provisions. As a result, KCSR and VSOR also seek exemptions from the financial assistance and public use provisions of 49 U.S.C. 10904-10905 and related regulations. Accordingly, the City has indicated that it will support the subject abandonment and discontinuance petitions and the related exemption requests described immediately above. In support of their respective petitions, KCSR and VSOR offer the following:

#### **FACTUAL BACKGROUND**

KCSR is a Class I common carrier by railroad and VSOR is a Class III common carrier by railroad, both subject to 49 U.S.C. Subtitle IV, chapter 105. KCSR has owned the Line for several years, but, owing to limited traffic levels, recently chose to enter into a lease agreement with VSOR, whereby VSOR assumed common carrier service over certain lines, including the

subject Line See Vicksburg Southern Railroad, Inc – Lease and Operation Exemption – The Kansas City Southern Railway Company, STB Finance Docket No. 34765 (STB served Jan. 13, 2006)

By their respective petitions, KCSR seeks an exemption in order to abandon the Line and VSOR seeks an exemption to discontinue common carrier operations over it. As stated above, the Line extends from Milepost 225.6 (south of the Line's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits), located generally in the southwest corner of the City of Vicksburg, MS, a distance of approximately 4.25 miles (See Exhibits 1 and 3 to Exhibit A hereto, maps showing the location of the proposed action). The purpose of the abandonment is to (1) eliminate an underused railroad facility and tracks, (2) facilitate local land use and development plans that cannot proceed without the requested abandonment, and (3) preserve the right-of-way for trail use purposes. The Line is located within U.S. Postal Service Zip Code 39180.

The Line has been lightly-used during the past several years, with but one active customer, Foam Packaging, Inc. ("Foam").<sup>1</sup> Foam receives inbound polystyrene at a truck transfer facility that it maintains which is located at approximately Milepost 227.5. From that truck transfer facility, Foam moves inbound material by truck to final destination at Foam's Vicksburg plant. According to available KCSR and VSOR traffic data, Foam received 55 carloads in 2004, 49 carloads in 2005, 57 carloads in 2006, and 28 carloads (as of August 8th) in

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<sup>1</sup> The Line is the southern portion of a 6.85-mile stub-ended branch that extends from Milepost 223.0 (at the branch line's connection to the east-west "Meridian Speedway, which is owned by Meridian Speedway LLC and operated by KCSR) and Milepost 229.85. Foam is the only active shipper on the entire 6.85-mile branch. Thus, VSOR's operating costs and revenues associated with this branch are wholly attributable to VSOR's service to Foam.

2007 As discussed below, KCSR will work with Foam to relocate its truck transfer operations to another, suitable railhead in the Vicksburg area

Although traffic on the Line is very light and does not support the costs that KCSR and VSOR have incurred in providing service over it, and the costs that VSOR would need to incur to continue service over the Line into the future, it was not until the City had expressed a need to remove the Line to facilitate local commercial development that KCSR and VSOR were prompted to file the subject petitions. Specifically, the City has reached an agreement with Lakes Entertainment, Inc. ("Lakes"), a casino developer, to build a large casino complex adjacent to the Mississippi river on the southwestern side of the City, which would bring many new jobs and substantial revenues to the City. The proposed project would entail the development of land that is bisected by the Line, and, hence, cannot be developed as planned without removal of the Line. The City has concluded, however, that the Line's right-of-way would ideally be used as a recreational trail, which could be designed to harmonize with the proposed casino development.

The plans by the City, KCSR, and VSOR will have minimal impact on service to shippers. As stated, there is only one shipper on the Line (Foam), which ships less than 60 carloads per year. KCSR and VSOR understand that Foam has no permanent, "in-ground" facilities at Milepost 227.5, and that it could relocate its current transfer operations at relatively minor cost. In fact, KCSR and VSOR believe that Foam would benefit from shorter shipment and car cycle times if the abandonment and discontinuance are granted and Foam agrees to relocate its truck transfer facility. This would be so because inbound traffic for Foam could avoid the additional time and handling associated with the current KCSR-VSOR interchange at

Vicksburg and the relatively infrequent VSOR service to Foam's truck transfer facility at Milepost 227 5

There are no other prospects for future rail shipments on the line

#### **PETITIONERS' REPRESENTATIVES**

KCSR is represented in this matter by William A Mullins, Baker & Miller PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037, telephone (202) 663-7823, facsimile (202) 663-7849 VSOR is represented in this matter by Craig Richey, Watco Companies, Inc , 315 W. 3rd Street, Pittsburg, KS 66762, telephone (620) 231-2230 facsimile (620) 231-0812

#### **THE EXEMPTION STANDARDS HAVE BEEN MET**

Under 49 U S C 10903, a rail line cannot be abandoned, and service over that line cannot be discontinued, without the prior approval of the Board However, under 49 U S C 10502, the Board must exempt a rail transaction from application of 10903 when it finds that (1) regulation of the transaction is not necessary to carry out the rail transportation policy of 49 U S C 10101, and (2) either (a) the transaction is of limited scope, or (b) regulation is not needed to protect shippers from the abuse of market power The abandonment and discontinuance of service proposed by KCSR and VSOR clearly meets the statutory requirements of Section 10502.

##### **A. Regulation Is Not Necessary To Carry Out The Rail Transportation Policy**

The National Rail Transportation Policy contained in 49 U S C 10101 obviates the need for detailed scrutiny by the Board under 49 U.S C 10903 in this instance Granting KCSR's and VSOR's respective exemption petitions – rather than requiring both railroads to absorb the costs and delays involved in submitting full-blown abandonment and discontinuance applications for slightly more than four miles of lightly-used track where the only shipper uses trucks to move

inbound materials to final destination – would promote a fair and expeditious regulatory decision-making process, would reduce regulatory barriers to exit from the industry, and would provide for the expeditious handling and resolution of proceedings required or permitted to be brought under this part See 49 U S C 10101(2), (7) and (15) Moreover, allowing KCSR to abandon the Line and VSOR to discontinue service over it will promote a safe and efficient rail transportation system by allowing KCSR and VSOR to avoid losses and, in turn, earn adequate revenues See 49 U S C. 10102(3)

In addition, granting KCSR's and VSOR's respective petitions with respect to a line segment that, as shown above, is not remunerative will foster sound economic conditions, and will encourage efficient management in accordance with the National Rail Transportation Policy See 49 U.S.C 10101(4), (5), and (9). Finally, allowing KCSR to abandon the Line and allowing VSOR to discontinue service over it would promote the public health and safety by enabling the elimination of five at-grade crossings (two public crossings and three private crossings). See 49 U S C 10101(8) Accordingly, it is not necessary to apply the Board's abandonment/discontinuance application procedures to KCSR's proposed abandonment and VSOR's proposed discontinuance in order to carry out the National Rail Transportation Policy See 49 U S C 10502(a)(1). Indeed, the proposed abandonment/discontinuance is fully consistent with that policy

**B     The Proposed Abandonment Is Of Limited Scope**

The proposed abandonment and discontinuance exemptions are of limited scope, involving approximately 4.25 miles of stub-ended track that does not directly serve any active shipper facilities and that the City plans to convert to a recreational trail under the Board's trail use provisions if the subject petitions for exemption are granted There is no overhead traffic



whatsoever, unless Foam's truck transfer operation, which involves the continuing movement of polystyrene by truck from Milepost 227.5 to ultimate destination, could be considered strictly an "overhead" movement, rather than a local movement as KCSR and VSOR currently regard that traffic. Were Foam's truck transfer operation relocated to another available facility in the area, there would no longer be any traffic on the Line. As a result, because the proposed abandonment and discontinuance involve only slightly more than four miles of line and no realistic prospects for development of new traffic, the proposed abandonment is clearly of limited scope.

**C     Regulation Of The Proposed Abandonment And  
Discontinuance Is Not Necessary To Protect Shippers From  
Market Power Abuse**

Because the transaction is of limited scope, Petitioners need not show that regulation of the abandonment is unnecessary to protect shippers from market abuse. Nonetheless, it is clear that the application of the Board's formal abandonment and discontinuance procedures are not necessary to protect shippers from a potential abuse of market power in this case. Only one shipper currently uses the Line, and that shipper is capable of relocating its truck transfer operation to another railhead in the Vicksburg area or elsewhere if it chooses, and KCSR is willing to cooperate with that shipper to relocate the shipper's transload operations.<sup>2</sup> Because Foam already uses trucks to directly serve its Vicksburg facility (and is not directly served by rail in the first place), it has market options. Accordingly, abandonment of the Line would not subject Foam to market abuse.

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<sup>2</sup> KCSR has evaluated various locations within its Vicksburg Yard, roughly seven road miles distant from Milepost 227.5 that enjoy vehicle access and that would be quite suitable for Foam's truck transfer purposes, and from which KCSR would be willing to provide service for Foam

## **PUBLIC INTEREST CONSIDERATIONS**

There is no economic basis to justify the continued operation of the Line. As an initial matter, Petitioners believe that the revenues VSOR receives in connection with providing service to Foam's truck transfer operation is irrelevant to the Board's economic analysis, because Foam's operation is "portable" and can be relocated to another suitable facility in the immediate area or to a facility in Jackson, MS, if Foam would prefer.<sup>3</sup> But even if it were appropriate to assess the Line's economic sustainability based upon Foam's truck transfer operation, the public interest nevertheless militates in favor of the proposed abandonment.

As noted above, the Line constitutes the southern portion of a 6.85-mile branch that extends generally from the Meridian Speedway line southward to the location of Foam's truck transfer operation and beyond. Foam is the only active customer on the entire 6.85-mile branch, including, of course, the Line that is the subject of these proceedings. Over the past three calendar years, Foam has generated an average of 54 cars, and it appears that Foam is on pace to receive about as many cars in 2007. As of April 1, 2007, VSOR earns \$97.65 per inbound load to Foam, pursuant to a switching allowance it receives from KCSR.<sup>4</sup> VSOR earns no other revenues from the movement of Foam traffic.

On the basis of basic avoidable costs alone, notwithstanding sunk costs and return on investment considerations, VSOR loses money providing service to Foam. As evidence, VSOR serves Foam on an as-needed basis, which VSOR estimates to be about once weekly. Assuming weekly service to Foam, VSOR has determined that its annual train and engine labor costs are

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<sup>3</sup> KCSR believes that, on occasion, Foam has opted to transfer inbound polystyrene from railcars to trucks at Jackson, MS, and move such product over the highway from there to Foam's Vicksburg plant.

<sup>4</sup> Prior to that date, VSOR earned \$79 per loaded car to Foam.

\$10,483.62, based on using two employees who would provide service to Foam in four hours' time per round trip. This amounts to a per trip labor cost of \$201.61. Further, assuming once-weekly service at four hours per trip (and given the switching and distance VSOR's train must travel), VSOR has calculated its annual fuel costs to serve Foam at \$3,248.80. This amounts to a per trip fuel cost of \$62.48. Taken together, VSOR's per trip labor and fuel costs to serve Foam total \$264.09.

Assuming, conservatively, that VSOR needed only to serve Foam bi-weekly (every 14 days on average, or 26 times per year), VSOR's annual train and engine labor and fuel costs would be \$6,866.34. Assuming further that Foam received as many as 60 cars in a given year (which is more than the average for the past three full years) with a per car revenue to VSOR of \$97.65, VSOR's total annual revenue from serving Foam would be \$5,859.00. Thus, even based on assumptions very favorable to Foam, VSOR stands to lose \$1,007.34 per year in unrecouped train and engine labor and fuel costs alone.<sup>5</sup>

VSOR further estimates that it has spent only about \$800 on track maintenance over the entire branch since it assumed operations early in 2006. This is so in large part because of the low traffic levels and losses that would have ensued from a more extensive maintenance program. Were VSOR required to continue to provide service to Foam via the Line, VSOR estimates that it would incur \$11,400 per year (or \$6,000.00 per mile per year) to maintain the 1.9-mile portion of the branch (between the north end of the proposed abandonment at Milepost

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<sup>5</sup> These operating losses would have been worse if one assumed continued KCSR operation of the Line. Under the circumstances, it is no surprise that KCSR sought out a short line operator to assume the obligation of providing service to Foam.

225 6 and Foam's truck transfer operation at Milepost 227 5) at FRA Class I operating conditions <sup>6</sup>

When considering VSOR's basic train and engine labor costs, fuel costs, and standard maintenance costs together under an operating plan quite favorable to Foam, it is abundantly clear that operation of the Line is, and would continue to be, uneconomical, without having to introduce further evidence of avoidable costs, sunk costs and opportunity costs of continued ownership and operation of the Line. In sum, continued operation of the Line – particularly in light of its interference with the City's development plans, Foam's ability to relocate its truck transfer operations, and the losses that VSOR has incurred and would continue to incur in serving Foam – is not essential and cannot be justified. The facts clearly demonstrate that abandonment and discontinuance of service would be consistent with the public interest.

### **RELATED EXEMPTION REQUESTS**

As noted, the City intends to invoke the notice of interim trail use ("NITU") provisions if the subject petitions for exemption are granted in order to convert the Line's right-of-way into a recreational trail. If the Line and service over it were to be preserved by virtue of a denial of the petitions for exemption, the City's plans for the Line would be thwarted. As a result, the abandonment should be exempted from public use and financial assistance ("OFA") provisions of Sections 10904-10905 and the related regulations that would otherwise apply. In addition to supporting KCSR's abandonment and VSOR's discontinuance proposals, KCSR and VSOR understand that the City will also support these requested exemptions.

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<sup>6</sup> Based on \$6,000 per mile maintenance costs, VSOR's avoidable cost to maintain the 4.5-mile portion of the branch from Milepost 223 0 (the very north end of the branch) to Foam's truck transfer operations at Milepost 227 5 would be \$27,000 per year. The 2.35-mile portion of the Line south Milepost 227 5 has been out of service for quite some time, and VSOR, therefore, does not attribute any maintenance costs to that line segment.

Exemption from the public use and OFA provisions is consistent with the public interest. The proposed commercial development adjacent to the Line would bring to Vicksburg numerous new jobs associated with staffing and operating the proposed casino and supporting facilities, and would increase City revenues. Conversion of the Line's right-of-way to a trail would result in a new recreational feature for Vicksburg residents and for visitors to the casino. As mentioned, without the abandonment of the Line, the casino project may not move forward. In addition, removal of the Line would eliminate five at-grade crossings, so that traffic flow and public safety would be improved by granting the subject petitions. For these reasons and others, the proposed abandonment and discontinuance, together with the requested exemptions from the public use and OFA procedures, are consistent with public policy and the public interest.

Exemption from the public use and OFA provisions is entirely consistent with Board precedent, also. The Board has previously stated that these provisions will be waived where there is an overriding public purpose to be served by doing so. See 1411 Corporation – Abandonment Exemption – In Lancaster County, PA, STB Docket No. AB-581X, and Middletown & Hummelstown Railroad Company – Abandonment Exemption – In Lancaster County, PA, STB Docket No. AB-529X (STB served Sept. 6, 2001). As noted above, the City has an ongoing commitment to the commercial development of the area surrounding the Line. The public interest would thus best be served by allowing abandonment of the Line so as to enable the development of the surrounding area to occur consistent with the City's plans. Accepting offers of financial assistance or requests for public use conditions would be inconsistent with these public purposes and benefits and would either forestall or thwart entirely the benefits of the proposed abandonment.

## **MAPS AND EXHIBITS**

The Environmental Report required by 49 CFR 1105.7 and the Historic Report required by 49 CFR 1105.8 were previously served on the STB and the required parties. The combined report is attached as Exhibit A. (The maps required by 49 CFR 1152.60(b) and 1152.22(a)(4) are Exhibits 1 and 2 thereto.) As KCSR has received written responses from entities to which the Environmental and Historic Reports have been sent, KCSR has promptly forwarded those responses to the Board's Section of Environmental Analysis, and KCSR will continue to do so if it receives any more such responses. A copy of the draft Federal Register notice is attached as Exhibit B. A certification of compliance with 49 CFR 1105.7(c), 1105.11, 1105.12 and 1152.60(d), along with copies of the transmittal letters to each required agency and proof of publication of the newspaper notice, are attached Exhibit C hereto. The respective verifications by KCSR and VSOR of the factual statements herein are attached as Exhibit D.

## **LABOR PROTECTIVE CONDITIONS**

KCSR and VSOR are agreeable to the labor protective conditions imposed in abandonment and discontinuance proceedings as prescribed in Oregon Short Line R. Co — Abandonment — Goshen, 360 I.C.C. 91 (1979) as those conditions may apply each railroad's respective employees.

## **CONCLUSION**

KCSR seeks an exemption from the provisions of 49 U.S.C. 10903 to abandon approximately 4.25 miles of rail line located in Vicksburg and Warren County, MS. VSOR seeks an exemption from the provisions of 49 U.S.C. 10903 to discontinue common carrier operations over that line. Both exemptions are warranted because there is but one active shipper who receives less than 60 carloads of traffic via the Line per year under circumstances where the

current operator, VSOR, incurs operating losses that are highly unlikely to abate in the future. That shipper (Foam) trucks inbound product from a point on the Line to final destination at Foam's Vicksburg plant, and Foam is capable of relocating its truck transfer operation (at relatively modest cost) to another track in Vicksburg that KCSR would be willing to make available for such purposes. Moreover, the abandonment and discontinuance of service would facilitate municipal development plans that would create new jobs, increase City revenues, and result in a new linear park.

As such, application of the Board's full abandonment/discontinuance procedures is not needed to serve the National Rail Transportation Policy. Instead, eliminating delays in abandonment of this lightly-used line will facilitate the Board's efficient regulation of rail activity while avoiding unnecessary delays to community planning and public safety improvements. Likewise, the proposed abandonment/discontinuance is of limited scope, and no potential for abuse of railroad market power would result from the proposed exemptions. Exempting this proposal from public use and financial assistance provisions is also necessary because such exemptions will serve the overriding public purposes of fostering community land use planning and public safety and creating additional recreational land in the City of Vicksburg.


For the foregoing reasons, the Board should grant the requested exemptions

Respectfully submitted,

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*Attorneys for The Kansas City Southern  
Railway Company*

Dated August 23, 2007



**ENVIRONMENTAL AND HISTORIC REPORT**

*(See Attached Exhibits 1 and 3 hereto – Maps)*

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**July 27, 2007**

**Attorneys for The Kansas City Southern  
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**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
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**VICKSBURG SOUTHERN RAILROAD, INC.  
-- DISCONTINUANCE OF SERVICE PETITION FOR EXEMPTION --  
LINE IN WARREN COUNTY, MS**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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Pursuant to the above-captioned proceedings, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc ("VSOR") intend, respectively, to abandon and to discontinue service over approximately 4.25 miles of rail line located in Vicksburg and Warren County, Mississippi. In accordance with the requirement of 49 CFR 1121.3(b) and the procedures set forth in 49 CFR 1105.7 and 1105.8, KCSR is required to submit the following Environmental and Historic Report:

## **ENVIRONMENTAL REPORT**

### **(1) PROPOSED ACTION AND ALTERNATIVES**

**Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.**

The Kansas City Southern Railway Company ("KCSR") seeks to abandon, and VSOR seeks to discontinue, common carrier operations over approximately 4.25 miles of rail line located in the City of Vicksburg and in Warren County, Mississippi, extending from Milepost 225.6 (south of the Line's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"). A map delineating the proposed project is attached as Exhibit 1.

The Line serves only one customer – Foam Packaging, Inc. ("Foam") – which receives inbound rail traffic at a spur located at about Milepost 227.5. At this point, Foam reloads the inbound rail traffic onto trucks and transports it roughly one mile to Foam's plant site, which is not directly rail-served. Inbound loads to Foam, which account for all recent traffic on the line, consist of plastic pellets (specifically, polystyrene, which is a non-hazardous commodity). Foam uses this material to manufacture foam sheets and container products.

The Line is leased by KCSR to VSOR, a Class III short line carrier which has operated the Line since January of 2006. KCSR and VSOR records indicate that Foam receives about 60 carloads per year. Because Foam transloads inbound polystyrene from a point near the end of the Line and transports it by truck to final destination at Foam's plant in Vicksburg, the abandonment and discontinuance should have little effect on Foam as Foam can receive its materials on other portions of the KCSR or VSOR lines that are not being abandoned and truck from that location to its plant in Vicksburg. After abandonment, KCSR anticipates conveying its interest in the right-of-way for use as a trail and understands that the City of Vicksburg, MS ("City") is interested in the right-of-way for possible trail or other recreational use. The only reasonable alternative to abandonment would be to allow the Line to remain in place while handling a small amount of traffic that can quite practicably be handled at another rail location close by. The Line is a stub-ended branch that is a remnant of a former main line route.

### **(2) TRANSPORTATION SYSTEM**

**Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.**

There is no passenger traffic on the Line. Furthermore, because the proposed abandonment should result in the relocation of Foam's truck transfer operations to another rail facility in the vicinity, the proposed abandonment will not affect regional or local transportation rail systems or patterns and there will be no diversion of traffic from rail to other modes. Elimination of at-grade crossings, which would result from the abandonment, should improve local roadway traffic conditions.

**(3) LAND USE**

- (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

The proposed abandonment is consistent with, and would promote, existing land use plans. In fact, KCSR's proposed abandonment of the Line (and VSOR's proposed discontinuance of operations) was precipitated by, and is undertaken in the furtherance of, plans by the City to convert the Line's right-of-way to recreational or other purposes. A copy of this Environmental Report has been mailed to the appropriate local and state agencies for their information and further comment.

- (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

KCSR does not believe that the proposed abandonment will have any adverse impact on prime agricultural land. The Line passes through an area of very mixed uses south of downtown Vicksburg. Some of the adjacent land may be used for agricultural purposes, but KCSR and VSOR do not anticipate that the proposed abandonment/discontinuance would have any adverse impact on prime agricultural lands. KCSR has notified the United States Department of Agriculture ("USDA") Natural Resources Conservation Service in Jackson, MS, by letter dated July 27, 2007, and has requested assistance in identifying any potential effects on prime agricultural land. A copy of this report was attached to that letter. See Exhibit 2.

- (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by Sec. 1105.9.**

Based upon initial consultation with the online resources of the Mississippi Department of Marine Resources, KCSR does not believe that the Line traverses a designated coastal zone, and, thus, KCSR understands that its proposed abandonment would not be subject to review in the applicable coastal zone management plan. A copy of this report has been sent to the Department of Marine Resources to confirm that conclusion. See Exhibit 2.

- (iv) **If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

KCSR has very good reason to believe that the subject right-of-way is suitable for other public purposes, for the reasons set forth in response to Part 3(1), above. KCSR anticipates conveying the land in and its interest in the right-of-way for dedication to public use.

(4) **ENERGY**

- (i) **Describe the effect of the proposed action on transportation of energy resources.**

In recent years, the only commodity transported over the Line has been polystyrene, which is used in the manufacturing of plastic products (such as foam wrap) and is not an energy resource. Accordingly, the proposed abandonment is not expected to have any effect on the transportation of energy resources.

- (ii) **Describe the effect of the proposed action on recyclable commodities.**

Because KCSR and VSOR anticipate that no shipper will lose rail service as a result of its proposed action here (Foam is able to relocate its truck transfer operation to another rail facility in the area), the proposed abandonment/discontinuance should have no effect on the movement and/or recovery of recyclable commodities. Furthermore, the proposed abandonment probably will result in the reclamation of steel rail and wood ties, both of which can be recycled, either by being redeployed on rail lines elsewhere, by being used for non-transportation purposes, or, in the case of steel rail, by being scrapped and re-formed.

- (iii) **State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.**

Inasmuch as the relocation of the rail delivery point for Foam's railcars could, in theory, mean slightly longer truck hauls to move the polystyrene from that point to Foam's Vicksburg manufacturing plant, there may be a slight increase in the energy used for trucking operations. However, such longer truck hauls would be offset in part by the proportionally shorter rail hauls occasioned by VSOR's discontinuance of service over the Line. Likewise, removal of the road crossings should help improve traffic flow and slightly reduce traffic transit times. As such, the effect on overall energy usage should either be neutral or even a possible decrease in overall energy usage.

**(iv) If the proposed action will cause diversions from rail to motor carriage of more than:**

**(A) 1,000 rail carloads a year; or**

**(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in Sec. 1105.7(e)(4)(iii) need not be supplied if the more detailed information in Sec. 1105.7(e)(4)(iv) is required.**

Because the only customer on this line receives on average about 60 carloads per year, there will be no diversion of rail traffic to motor carriage that would exceed the thresholds stated above.

**(5) AIR**

**(i) If the proposed action will result in either:**

**(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or**

**(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or**

**(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.**

The above thresholds will not be exceeded

**(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:**

**(A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,**

**(B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or**

- (C) **An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.**

Based upon 40 CFR 81.325 (2006), KCSR believes that Warren County is not a non-attainment area and that the above-stated thresholds are therefore inapplicable. Nevertheless, the above thresholds will not be exceeded.

- (iii) **If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.**

Not applicable

**(6) NOISE**

**If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:**

- (i) **An incremental increase in noise levels of three decibels Ldn or more; or**
- (ii) **An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.**

None of the thresholds of item (5)(i) of this section will be exceeded.

**(7) SAFETY**

- (i) **Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).**

VSOR delivers only about 60 carloads a year to Foam so the proposed abandonment will not cause any significant changes in public health. However, if the abandonment is granted and the line salvaged, two public and three private



rail-highway at-grade crossings on the Line will be eliminated, thereby improving local traffic flow and eliminating the possibility of train-automobile collisions

- (ii) **If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.**

Hazardous materials are not expected to be transported Polystyrene, the only commodity handled of late over the Line, is not a hazardous cargo.

- (iii) **If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.**

Neither KCSR nor VSOR is aware of any hazardous waste sites or sites on the Line where there have been hazardous material spills

## **(8) BIOLOGICAL RESOURCES**

- (i) **Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

The land through which the Line passes is used for a variety of purposes, including, at different points, commercial, industrial, residential, forest, and farm land In light of this highly mixed land use, KCSR and VSOR do not believe the abandonment and discontinuance will have an adverse impact on endangered or threatened species or areas designated as a critical habitat KCSR has notified the U S Fish and Wildlife Service by letter dated July 27, 2007 and requested assistance in determining whether the proposed abandonment would adversely affect endangered or threatened species or areas designated as a critical habitat A copy of this report was attached to the letter See Exhibit 2

- (ii) **State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

Following investigation, KCSR is not aware of any wildlife sanctuary or refuge, or any National or State park or forest adjacent to the Line KCSR has notified the National Park Service of the proposed abandonment by letter dated July 27, 2007 and requested assistance in identifying any potential effects on wildlife sanctuaries or refuges, or National or state parks or forests A copy of this report was attached to the letter See Exhibit 2

**(9) WATER**

- (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

KCSR is confident that the proposed abandonment will be consistent with applicable water quality standards. The line crosses the following named streams Hennessey's Bayou and Pace Bayou. KCSR has contacted the Mississippi Department of Environmental Quality and the U S Environmental Protection Agency by letters dated July 27, 2007. A copy of this report was attached to the letter. *See Exhibit 2*

- (ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

KCSR believes that no permits under section 404 of the Clean Water Act will be required because no salvage activities are anticipated to occur in or adjacent to any waterways, and that 100-year flood plains will not be adversely impacted by the proposed abandonment. KCSR contacted the U.S. Army Corps of Engineers Vicksburg District by letter dated July 27, 2007. A copy of this report was attached to the letter. *See Exhibit 2*

- (iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)**

Upon receiving abandonment authority, any removal of track material will be accomplished by use of the right-of-way for access, along with existing public and private crossings, and no new access roads are contemplated. KCSR does not intend to perform any activities that would cause sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in removal of track material. No debris will be discarded along the right of way nor placed or left in streams or wetlands, or along the banks of such waterways. Any work along the right-of-way will be subject to appropriate measures to prevent or control spills from fuels, lubricants or any other pollutant materials. Accordingly, KCSR does not believe that a permit under Section 402 of the Clean Water Act will be required.

By letters dated July 27, 2007, KCSR has contacted the U.S. Environmental Protection Agency and the Mississippi Department of Environmental Quality concerning this matter and has requested assistance in identifying any potential

impacts on applicable water quality standards and determining whether the proposed abandonment is consistent with applicable Federal, State, or local water quality standards. A copy of this report was attached to the letter *See Exhibit 2*

(10) **PROPOSED MITIGATION**

**Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.**

There will be no adverse environmental impacts in the project area as a result of this abandonment, therefore, mitigating action will not be necessary.

(11) **ADDITIONAL INFORMATION FOR RAIL CONSTRUCTIONS**

Not applicable

## HISTORIC REPORT

### **49 CFR §1105.8(d):**

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;**

A map generally depicting the location and scope of the Line is attached hereto as Exhibit 1. A U S G.S. topographic map is attached as Exhibit 3. Both maps are being supplied to the Mississippi Department of Archives and History as a copy of this report has been sent to them. There are three known railroad structures on the line that are 50 years old or older, all of which are railroad bridges. These bridges and their dimensions are depicted on Exhibit 3 and Appendix A to that Exhibit.

- (2) A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;**

The involved right-of-way consists of an approximately 100-foot-wide strip of land 4.25 miles long located in Vicksburg and Warren County, Mississippi, running from milepost 225.6 to milepost 229.85. The Line runs adjacent to lands of varying uses, ranging from commercial, industrial, residential, forest, and farm land. The majority of the Line is located in the City of Vicksburg, and, at various points, the land has been zoned as heavy industrial, general commercial, mixed use residential, single family residential, commercial planned unit development (resort area zoned for gaming and ancillary uses), and agricultural/industrial. The topography is generally flat.

- (3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;**

Color Photographs are attached as Exhibit 4.

- (4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;**

The structures in question – bridges at Mileposts 228.6, 228.9, and 229.8 – were originally constructed by railroads historically unaffiliated with KCSR. KCSR acquired the structures in connection with its acquisition of MidSouth Rail Corporation (“MidSouth”) in 1993. See response to 49 CFR 1105.8(d)(5), below.

What limited information KCSR has in connection with these bridges is contained in bridge records that KCSR acquired from MidSouth in 1993

In particular, the bridge at Milepost 228.6 was constructed in 1952 (KCSR knows of no subsequent major alterations since then), the bridge at Milepost 228.9 was built in 1948 (KCSR knows of no subsequent major alterations since that time), and the main span of the bridge at Milepost 229.8 was constructed in 1923 (the north and south approaches to this span – which is a crossing of Glass Road – were rebuilt in 1966). In light of the significant modification to the Milepost 229.8 bridge, it is not clear to KCSR that this bridge would qualify for consideration as an historic structure under the Board's rules

- (5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;**

Research indicates that the Line was originally constructed by the Louisville, New Orleans & Texas Railway ("LNO&T") as part of a through route between Memphis and New Orleans via Vicksburg, MS, and Baton Rouge, LA, which route was completed in or about 1884. The Yazoo & Mississippi Valley Railroad ("Y&MV"), a subsidiary of the Illinois Central Railroad ("IC"), merged with the LNO&T, with Y&MV becoming the surviving carrier. Y&MV was itself later merged into IC. In 1972, IC became the Illinois Central Gulf Railroad ("ICG") following IC's merger with the Gulf, Mobile & Ohio Railroad ("GM&O"). Over time, portions of the former LNO&T Memphis-New Orleans route were abandoned, resulting in an approximately 19-mile branch line from Redwood, MS (north to Vicksburg), near Cedars, MS (on the south side of Vicksburg), the southernmost 4.5 miles of which is now the Line that is the subject of this abandonment proceeding.

In 1986, MidSouth acquired the Line, along with other lines, from ICG. KCSR acquired control of MidSouth in 1993, subsequently merging with MidSouth, with KCSR as the surviving entity. KCSR leased the Line to VSOR in early 2006. In light of VSOR's current lease and operation of the Line, the proposed abandonment will not effect any change in KCSR's operations.

- (6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;**

See above discussion and Appendix A to Exhibit 3

- (7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the**

**project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);**

As indicated above, KCSR's records indicate that there are three structures (bridges) on the Line that are 50 years old or older. KCSR is not of an opinion that these bridges would meet the criteria for listing on the National Register of Historic Places. Regardless, KCSR understands that the bridges in question may be preserved in connection with the City of Vicksburg's plans to use the Line's right-of-way for recreational purposes. KCSR is also unaware of any archeological resources or any other previously unknown historic properties on the Line's right-of-way.

- (8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

Various track work and/or construction occurred over the many years that the track was in operation. Such work may have disturbed the potential for recovery of archeological resources.

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-103  
(SUB-NO. 20X)**

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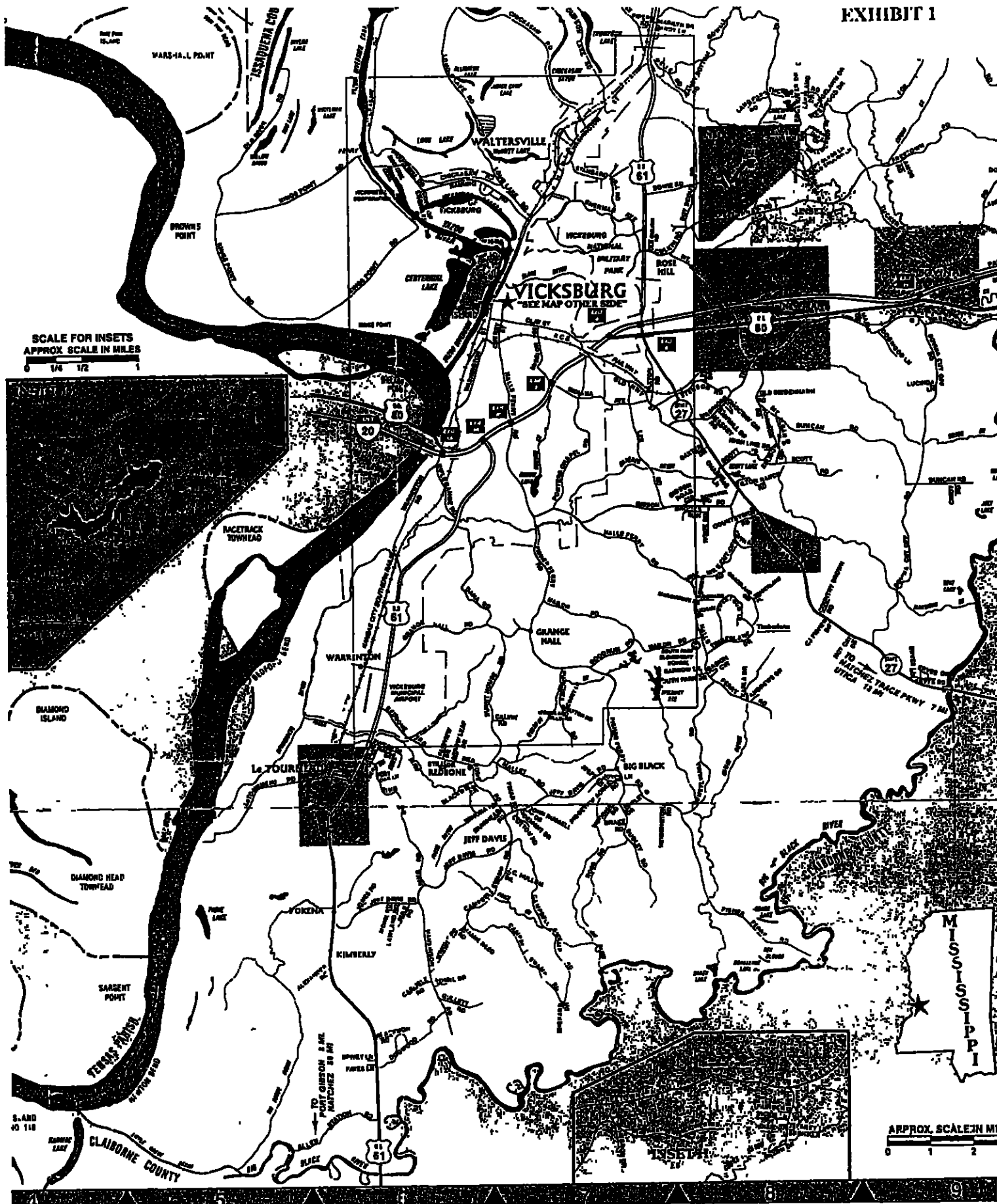
**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
LINE IN JEFFERSON PARISH, LA**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 1 – LOCATION MAP**





**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-103  
(SUB-NO. 20X)**

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**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
-- ABANDONMENT EXEMPTION --  
LINE IN JEFFERSON PARISH, LA**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 2 -- CONSULTATION LETTERS**

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS  
2401 PENNSYLVANIA AVENUE NW  
SUITE 300  
WASHINGTON DC 20037

TELEPHONE (202) 663-7820  
FACSIMILE (202) 663 7849

WILLIAM A. MULLINS

(202) 663 7823 (Direct Dial)

July 27, 2007

Richard George, President  
Warren County Board of Supervisors  
913 Jackson Street  
Vicksburg, MS 39183-2519

RE *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, STB Docket No AB-103 (Sub-No 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, STB Docket No AB-1016X*

Dear Mr. George:

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"), and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of these proceedings. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW,

Richard George, President, Warren County Board of Supervisors

July 27, 2007

Page 2

Washington, DC 20423-0001, TEL (202) 245-0295 and refer to STB Docket No AB-103 (Sub-No 21X)

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA (at the address provided above) along with a copy to KCSR's representative (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action.

If there are any questions concerning this proposal, please contact either William A Mullins, Esq. or Robert A. Wimbish, Esq. at the law firm of Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037, by facsimile at (202) 663-7849, by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com) or [rwimbish@bakerandmiller.com](mailto:rwimbish@bakerandmiller.com), or by telephone at (202) 663-7820

Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc. Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE NW  
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TELEPHONE (202) 663-7820  
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WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

Mississippi Department of Marine Resources  
1141 Bayview Avenue, Suite 101  
Biloxi, MS 39530

RE. *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-103 (Sub-No. 21X)*

*Vicksburg Southern Railroad, Inc. – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-1016X*

Dear Sir or Madame

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"), and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of these proceedings. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001. TEL (202) 245-0295 and refer to STB Docket No. AB-103 (Sub-No. 21X).

July 27, 2007

Page 2

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA (at the address provided above) along with a copy to KCSR's representative (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action.

If there are any questions concerning this proposal, please contact either William A. Mullins, Esq. or Robert A. Wimbish, Esq. at the law firm of Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by facsimile at (202) 663-7849; by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com) or [rwimbish@bakerandmiller.com](mailto:rwimbish@bakerandmiller.com), or by telephone at (202) 663-7820.

Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc: Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

# BAKER & MILLER PLLC

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TELEPHONE (202) 663 7820  
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WILLIAM A. MULLINS

(202) 663 7823 (Direct Dial)

July 27, 2007

Laurence E. Leyens  
Mayor City of Vicksburg, MS  
P O Box 150  
Vicksburg, MS 39181

RE. *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-103 (Sub-No. 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-1016X*

Dear Mayor Leyens

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line") and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of these proceedings. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW,

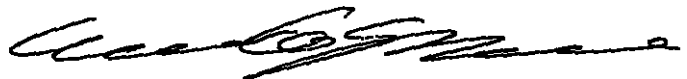
Laurence E. Leyens, Mayor City of Vicksburg, MS  
July 27, 2007  
Page 2

Washington, DC 20423-0001, TEL: (202) 245-0295 and refer to STB Docket No. AB-103 (Sub-No. 21X)

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA (at the address provided above) along with a copy to KCSR's representative (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action.

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Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE (202) 663-7820  
FACSIMILE (202) 663-7848

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

Sam Hamilton, Regional Director  
U.S. Fish & Wildlife Service  
Region 4 (AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, PR/Virgin Islands)  
Century Center  
1875 Century Boulevard, Suite 400  
Atlanta, GA 30345

RE *The Kansas City Southern Railway Company – Abandonment Petition for  
Exemption – Line in Warren County, MS, STB Docket No. AB-103 (Sub-  
No. 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition  
for Exemption – Line in Warren County, MS, STB Docket No. AB-1016X*

Dear Mr. Hamilton:

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"), and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects, as well as a map of the affected area.

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Sam Hamilton, Regional Director, U S Fish & Wildlife Service  
July 27, 2007  
Page 2

you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001; TEL (202) 245-0295 and refer to STB Docket No. AB-103 (Sub-No. 21X)

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Sincerely,



William A Mullins

Counsel for the Kansas City Southern  
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Enclosures

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Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

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FACSIMILE (202) 863 7849

WILLIAM A. MULLINS

(202) 663 7823 (Direct Dial)

July 27, 2007

Abigail Kimbell, Chief of the Forest Service  
U S Department of Agriculture  
201 14<sup>th</sup> Street, S W., Suite 4NW  
Washington, D C 20024

RE *The Kansas City Southern Railway Company – Abandonment Petition for  
Exemption – Line in Warren County, MS, STB Docket No AB-103 (Sub-  
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*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition  
for Exemption – Line in Warren County, MS, STB Docket No AB-1016X*

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Abigail Kimbell, Chief of the Forest Service

July 27, 2007

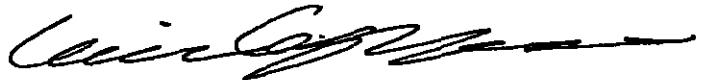
Page 2

Washington, DC 20423-0001, TEL (202) 245-0295 and refer to STB Docket No AB-103 (Sub-No 21X)

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Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc. Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

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FACSIMILE (202) 663-7849

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

Civil Works Office  
U.S. Army Engineer District, Vicksburg  
4155 Clay St  
Vicksburg, MS 39183-3435

RE *The Kansas City Southern Railway Company – Abandonment Petition for  
Exemption – Line in Warren County, MS, STB Docket No. AB-103 (Sub-  
No. 21X)*

*Vicksburg Southern Railroad, Inc. – Discontinuance of Service Petition  
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Civil Works Office, U S Army Engineer District, Vicksburg  
July 27, 2007  
Page 2

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Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

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Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Trudy Fisher, Mississippi Department of Environmental Quality  
July 27, 2007  
Page 2

Washington, DC 20423-0001; TEL (202) 245-0295 and refer to STB Docket No AB-103 (Sub-No 21X)

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Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

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Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

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WILLIAM A. MULLINS

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July 27, 2007

U S Environmental Protection Agency  
Region 4 (AL, MS, GA, FL, SC, NC, TN, KY)  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303

RE. *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, STB Docket No AB-103 (Sub-No 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-1016X*

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U S Environmental Protection Agency

July 27, 2007

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395 E Street, SW  
Washington, DC 20423-0001



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WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

Nielsen Cochran  
Mississippi Public Service Commission  
Woolfolk Building  
501 North West Street  
Jackson, MS 39201

RE *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-103 (Sub-No. 21X)*

*Vicksburg Southern Railroad, Inc. – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-1016X*

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Counsel for the Kansas City Southern  
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Enclosures

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Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

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2401 PENNSYLVANIA AVENUE NW  
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FACSIMILE (202) 663 7849

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

The National Center for Recreation and Conservation  
c/o The National Park Service  
C (Org Code 2220)  
1849 C Street, N W  
Washington, D C 20240

RE *The Kansas City Southern Railway Company – Abandonment Petition for  
Exemption – Line in Warren County, MS, STB Docket No AB-103 (Sub-  
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395 E Street, SW  
Washington, DC 20423-0001

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WASHINGTON DC 20037

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WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

NGS Information Services, NOAA, N/NGS12  
National Geodetic Survey SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282

RE *The Kansas City Southern Railway Company – Abandonment Petition for  
Exemption – Line in Warren County, MS, STB Docket No AB-103 (Sub-  
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Sincerely,



William A Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

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Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

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WILLIAM A. MULLINS

(202) 663 7823 (Direct Dial)

July 27, 2007

Patricia Hooks  
U S NATIONAL PARK SERVICE  
Southeast Region (KY, TN, NC, SC, GA, FL, AL, MS, LA, PR/Virgin Islands)  
100 Alabama St , SW  
1924 Building  
Atlanta, GA 30303

RE *The Kansas City Southern Railway Company – Abandonment Petition for  
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Patricia Hooks, U S NATIONAL PARK SERVICE

July 27, 2007

Page 2

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Counsel for the Kansas City Southern  
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Enclosures

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Surface Transportation Board  
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Washington, DC 20423-0001



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FACSIMILE (202) 663-7849

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

Homer L. Wilkes, State Conservationist  
Natural Resources Conservation Service/ USDA  
Jackson State Office  
100 West Capitol Street, Suite 1321, Federal Building  
Jackson, MS 39269

RE: *The Kansas City Southern Railway Company – Abandonment Petition for  
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No. 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition  
for Exemption – Line in Warren County, MS, STB Docket No AB-1016X*

Dear Mr Wilkes

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"), and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of these proceedings. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW,

Homer L. Wilkes, State Conservationist, Natural Resources Conservation Service/ USDA  
July 27, 2007  
Page 2

Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No AB-103 (Sub-No 21X)

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA (at the address provided above) along with a copy to KCSR's representative (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action

If there are any questions concerning this proposal, please contact either William A. Mullins, Esq or Robert A. Wimbish, Esq. at the law firm of Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by facsimile at (202) 663-7849; by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com) or [rwimbish@bakerandmiller.com](mailto:rwimbish@bakerandmiller.com), or by telephone at (202) 663-7820

Sincerely,



William A Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc. Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

# BAKER & MILLER PLLC

ATTORNEYS AND COUNSELLORS

2401 PENNSYLVANIA AVENUE NW  
SUITE 300  
WASHINGTON DC 20037

TELEPHONE (202) 663-7820  
FACSIMILE (202) 663-7849

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

July 27, 2007

SDDC TEA  
Attn: MTT-SA  
Bob Korpanty  
720 Thimble Shoals Blvd. Suite 130  
Newport News, VA 23606

RE. *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-103 (Sub-No 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, STB Docket No AB-1016X*

Dear Mr Korpanty

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"), and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects, as well as a map of the affected area.

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Bob Korpanty, SDDC TEA  
July 27, 2007  
Page 2

Washington, DC 20423-0001; TEL (202) 245-0295 and refer to STB Docket No AB-103 (Sub-No. 21X)

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Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc. Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE NW  
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WILLIAM A. MULLINS

(202) 863-7823 (Direct Dial)

July 27, 2007

Mississippi Department of Finance and Administration  
Clearinghouse Officer  
Office of Policy Development  
1301 Woolfolk Building, Suite E  
501 North West Street  
Jackson, MS 39201

RE: *The Kansas City Southern Railway Company – Abandonment Petition for Exemption – Line in Warren County, MS, STB Docket No. AB-103 (Sub-No 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition for Exemption – Line in Warren County, MS, STB Docket No AB-1016X*

Dear Sir or Madame:

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"), and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects as well as a map of the affected area.

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July 27, 2007

Page 2

you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001, TEL (202) 245-0295 and refer to STB Docket No AB-103 (Sub-No 21X)

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA (at the address provided above) along with a copy to KCSR's representative (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action.

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Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc: Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE NW  
SUITE 300  
WASHINGTON DC 20037

TELEPHONE (202) 663-7820  
FACSIMILE (202) 663-7849

WILLIAM A. MULLINS

(202) 663-7820 (Direct Dial)

July 27, 2007

Mississippi Department of Archives and History  
P O Box 571  
Jackson, MS 39205-0571

RE: *The Kansas City Southern Railway Company – Abandonment Petition for  
Exemption – Line in Warren County, MS, STB Docket No AB-103 (Sub-  
No 21X)*

*Vicksburg Southern Railroad, Inc – Discontinuance of Service Petition  
for Exemption – Line in Warren County, MS, STB Docket No. AB-1016X*

Dear Sir or Madame:

On or about August 16, The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") expect jointly to file with the Surface Transportation Board ("STB") a Petition for Exemption pursuant to 49 CFR 1152.60, Subpart G, for KCSR to abandon 4.25 miles of railroad track located in Vicksburg and Warren County, Mississippi, running from Milepost 225.6 (south of the track's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) to Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits) (the "Line"), and for VSOR to discontinue rail service over the Line. The Line traverses United States Postal Zip Code 39180. Enclosed is an Environmental and Historic Report describing the proposed discontinuance and abandonment and any expected environmental and historic effects, as well as a map of the affected area.

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Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA (at the address provided above) along with a copy to KCSR's representative (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action.

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Sincerely,



William A. Mullins

Counsel for the Kansas City Southern  
Railway Company

Enclosures

cc: Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001



**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB DOCKET NO. AB-103  
(SUB-NO. 20X)**

---

**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
-- ABANDONMENT EXEMPTION --  
LINE IN JEFFERSON PARISH, LA**

---

**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 3 – U.S.G.S. TOPOGRAPHIC MAP**

## EXHIBIT 3

Send To Printer

Back To TerraServer

Change to 11x17 Print Size

Show Grid Lines

Change

USGS 15 km S of Vicksburg, Mississippi, United States 01 Jul 1981

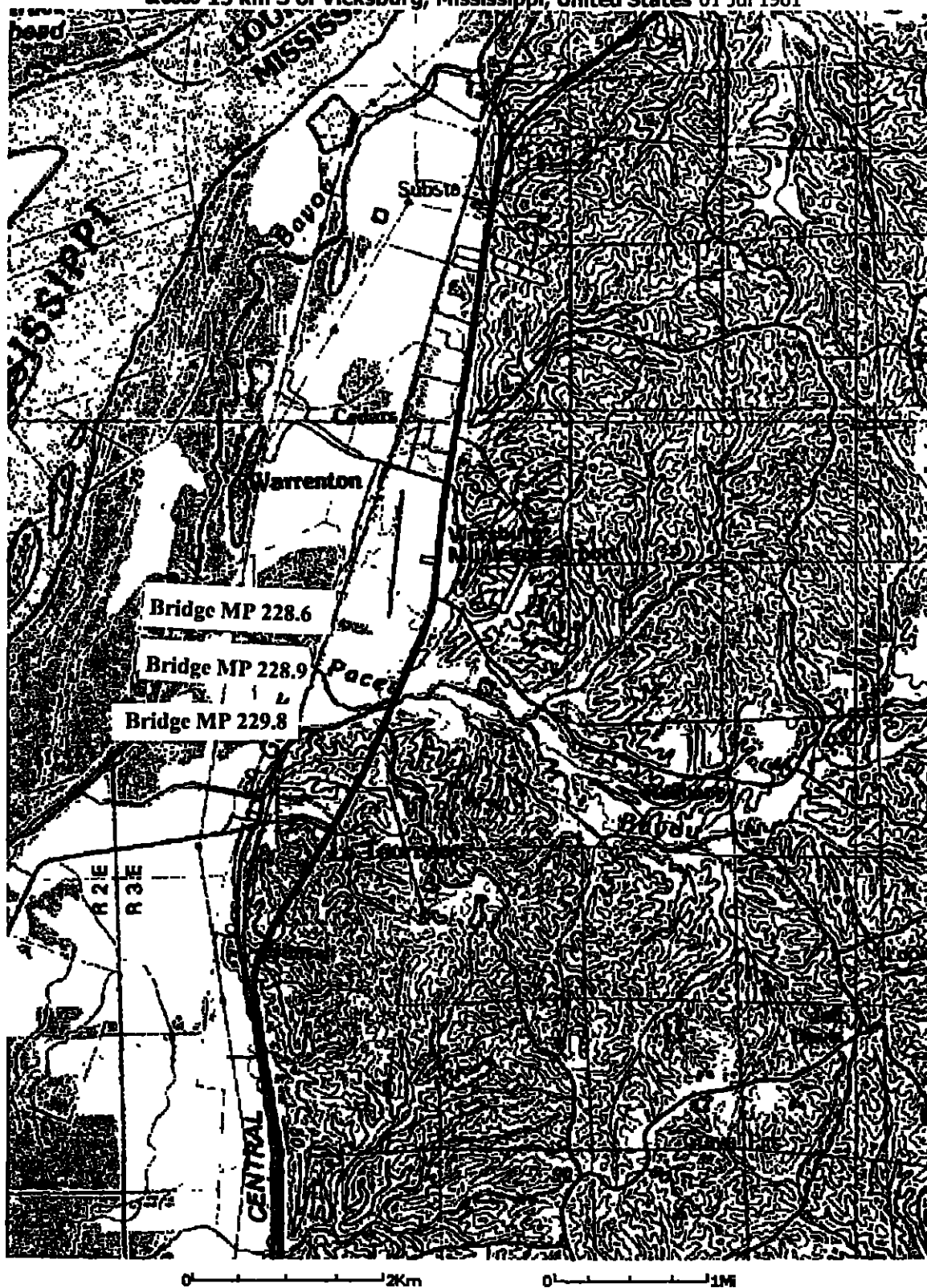
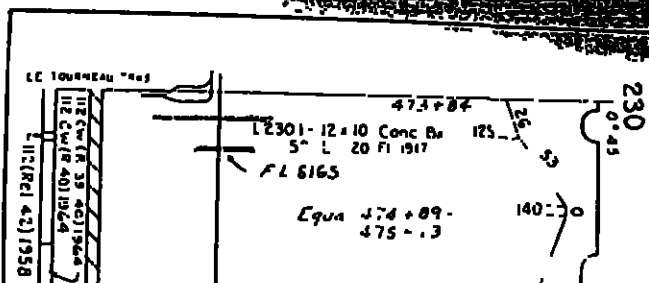


Image courtesy of the U S Geological Survey

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**APPENDIX A  
TO EXHIBIT 3**



**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-103  
(SUB-NO. 20X)**

---

**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
-- ABANDONMENT EXEMPTION --  
LINE IN JEFFERSON PARISH, LA**

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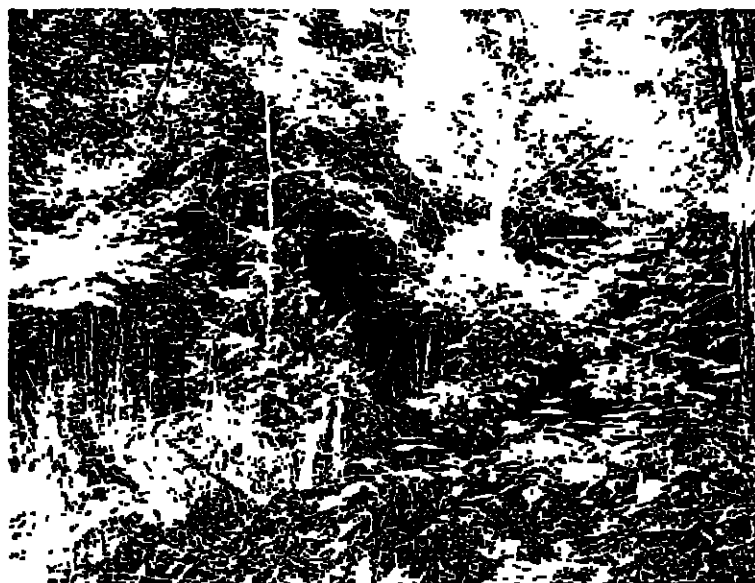
**ENVIRONMENTAL AND HISTORIC REPORT**

---

**EXHIBIT 4 - COLOR PHOTOGRAPHS**



**Photograph No. 1** – M.P. 227.75 West Side – middle



**Photograph No. 2** – M.P. 227.75 West side of bridge, North end

Photographer: Bill Meador  
Photo Date 7-19-07

Kansas City Southern Railway Co.  
Redwood Branch  
M P. 225.6 to 229.85



**Photograph No. 3** – M P 227.75 West side of bridge, South end



**Photograph No. 4** – M.P. 228.58 – Southeast side, facing Northwest

Photographer: BHI Meador  
Photo Date 7-19-07

Kansas City Southern Railway Co.  
Redwood Branch  
M P 225.6 to 229.85



**Photograph No. 5 – M P. 228.58 Southwest side facing Northeast**



**Photograph No. 6 – M P. 228.58 West Side**

Photographer Bill Meador  
Photo Date 7-19-07

Kansas City Southern Railway Co  
Redwood Branch  
M P 225 6 to 229 85



**Photograph No. 7 – M P 229.25 North end of West Side**



**Photograph No. 8 – M.P. 229.25 South end of West Side**

Photographer Bill Meador  
Photo Date 7-19-07

Kansas City Southern Railway Co.  
Redwood Branch  
M P. 225 6 to 229 85





**Photograph No. 9 – M P. 229.53 North end of East side**



**Photograph No. 10 – M.P 229.53 South end of West Side**

**Photographer Bill Meador  
Photo Date 7-19-07**

**Kansas City Southern Railway Co.  
Redwood Branch  
M P 225 6 to 229 85**



**Photograph No. 11 – M P. 229.53 Northeast side facing Southwest**



**Photograph No. 12 – M.P. 229.53 South end of East side**

Photographer: Bill Meador  
Photo Date: 7-19-07

Kansas City Southern Railway Co.  
Redwood Branch  
M P 225 6 to 229 85



**Photograph No. 13** – M.P. 229 53 South end of West side



**Photograph No. 14** – M.P. 229.80 over Glass Road, steel I-Beams

Photographer: Bill Meador  
Photo Date 7-19-07

Kansas City Southern Railway Co.  
Redwood Branch  
M.P. 225 6 to 229 85



**Photograph No. 15 – M.P. 229.80 Southeast side facing Northwest**



**Photograph No. 16 – M.P. 229.80 Southwest side facing Northeast**

Photographer: Bill Meador  
Photo Date: 7-19-07

Kansas City Southern Railway Co.  
Redwood Branch  
M.P. 225.6 to 229.85

**DRAFT FEDERAL REGISTER NOTICE**

**STB DOCKET NO. AB-103 (SUB-NO 21X)**

**THE KANSAS CITY SOUTHERN RAILWAY COMPANY  
-- ABANDONMENT PETITION FOR EXEMPTION --  
LINE IN WARREN COUNTY, MS**

**STB DOCKET NO AB-1016X**

**VICKSBURG SOUTHERN RAILROAD, INC  
-- DISCONTINUANCE OF SERVICE PETITION FOR EXEMPTION --  
LINE IN WARREN COUNTY, MS**

**Notice of Petition for Exemption to Abandon Line and to Discontinue Service**

On August 23, 2007, The Kansas City Southern Railway Company (KCSR) and Vicksburg Southern Railroad, Inc. (VSOR) jointly filed with the Surface Transportation Board, Washington, D C 20423, petitions for exemption for KCSR to abandon an approximately 4.25-mile-long rail line sometimes referred to as the Vicksburg Industrial Lead, South Redwood Branch or Redwood Branch (Line), extending from Milepost 225.6 (south of the Line's crossing of Warrenton Road and at that highway's intersection with Kemp Bottom Road) and Milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits), and for VSOR to discontinue service over the Line. The line is located in the City of Vicksburg and in Warren County, MS. The line traverses through United States Postal Service ZIP Code 39180. There is one station on the Line: Cedars (Milepost 227.2). KCSR and VSOR have also requested to be exempted from the financial assistance and public use provisions of the ICC Termination Act of 1995 and related statutes and regulations.

The Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in Oregon Short Line R. Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting exemption proceedings in the above-referenced dockets pursuant to 49 U.S.C. 10502(b). A final decision will be issued by \_\_\_\_\_, 2007.

If an exemption from financial assistance provisions is not granted, any offer of financial assistance (OFA) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,100 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that if an exemption from public use provisions is not granted, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, as well as interim trail use, and that any request for a public use

condition and any request for trail use/rail banking will be due no later than 20 days after notice of the joint filing of the petitions for exemption is published in the Federal Register


All filings in response to this notice must refer to STB Docket No AB-103 (Sub-No 21X) and AB-1016X, and must be sent to (1) Surface Transportation Board, 395 E Street, S W , Washington, DC 20423-0001; (2) William A Mullins, Baker & Miller PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037, and (3) Craig Richey, 315 W 3rd Street, Pittsburg, KS 66762 Replies to the joint petition are due on or before \_\_\_\_\_, 2007


Persons seeking further information concerning abandonment and discontinuance procedures may contact the Board's Office of Public Services at (202) 245-0230 or refer to the full abandonment or discontinuance regulations at 49 CFR Part 1152 Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0295 [Assistance for the hearing impaired is available through the Federal Information Relay Service at 1-800-877-8339 ]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service

**Certification Of Compliance With 49 C.F.R. §§1105.7(c), 1105.11, 1105.12 and 1152.60(d)**

I hereby certify that The Kansas City Southern Railway Company ("KCSR") has sent copies of its Environmental and Historic Report with respect to its Petition for Exemption for its proposed rail line abandonment in the City of Vicksburg and in Warren County, MS, to each of the agencies specified in 49 CFR 1105 7(b) at least 20 days prior to the filing of the jointly-filed petitions for exemption, which are the result of this certification, with the Surface Transportation Board. (See copies of transmittal letters attached to the Environmental and Historic Report attached above as Exhibit A ) I further certify that KCSR has published in a newspaper of general circulation in the county in which the affected line lies a notice that alerts the public to the proposed abandonment (and to Vicksburg Southern Railroad, Inc 's proposed discontinuance of service over the line), to available reuse alternatives, and to how the public may participate in the STB proceeding. (See attached proof of newspaper publication ) I also certify that copies of the foregoing jointly-filed petitions for exemption have been sent on this date to the entities specified in 49 CFR 1152 50(d), as required by 49 CFR 1152 60(d), with the notation that "Based on information in our possession, the line does not contain federally granted right-of-way Any documentation in KCSR's possession will be made available promptly to those requesting it " Finally, I certify that a copy of this petition has been served upon Foam Packaging, Inc.

  
Robert A Wimbish

  
Date

STATE OF MISSISSIPPI,  
Warren County

Personally appeared before me, the undersigned Notary Public for Warren County, State of Mississippi, Louis P. Cashman, III, one of the publishers of the VICKSBURG POST, a newspaper published in Vicksburg, in the aforesaid County and State, who made oath that the notice of Public Notice

a true copy of which is hereto attached, was published in said newspaper on the following dates

|         |                        |       |
|---------|------------------------|-------|
| Friday  | the 13th day of July   | 2007  |
| Monday  | the 16th day of July   | 2007  |
| Tuesday | the 17th day of July   | 2007  |
| _____   | the _____ day of _____ | _____ |
| _____   | the _____ day of _____ | _____ |
| _____   | the _____ day of _____ | _____ |
| _____   | the _____ day of _____ | _____ |

Sworn to and subscribed before me, the undersigned Notary Public, this 17th day of July, 2007



Linda Dade Martin

My Commission Expires July 7, 2008 Notary Public

Notice  
The Kansas City Southern Railway Company ("KCSR") and Vicksburg Southern Railroad, Inc. ("VSOR") give notice that, on or after August 10, 2007, they intend jointly to file with the Surface Transportation Board, Washington, DC 20423-0001, petitions for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10503; et seq. permitting KCSR to abandon, and VSOR to discontinue service over, a 4.25-mile line of railroad between railroad milepost 225.6 (south of the Line's crossing of Warrington Road) and at that highway's intersection with Kemp Bottom Road, and railroad milepost 229.85 (approximately 0.05 miles south of the Line's crossing of Glass Road, just beyond the Vicksburg city limits), within United States Postal Service ZIP Code 39180 in Vicksburg, Warren County, MS. The proceedings will be docketed as STB Docket No. AB-103 (Sub-No. 21X) (KCSR's abandonment docket) and STB Docket No. AB-1016X (VSOR's discontinuance docket). The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petitions for abandonment and discontinuance. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20423-0001 or by calling SEAG at 202-245-0295. KCSR and VSOR will request to be exempted from the financial assistance and public use provisions of the ICC Termination Act of 1995 and related statutes and regulations. If these exemption requests are not granted, however, appropriate offers of financial assistance to continue rail service and requests for public use conditions can be filed with the Board. Requests for environmental conditions or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 385 E Street, SW, Washington, DC 20423-0001 (See 49 CFR 1104.1(a) and 1104.3(a)) and one copy must be served on petitioners' representatives (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-245-0230. Copies of any comments or requests for conditions must also be served on the petitioners' representatives. Witham A. Mullins/Baker & Miller PLLC 2401 Pennsylvania Ave., NW #500, Washington, DC 20037 (for KCSR) Craig Richey 315 W. 3rd Street, Pittsburg, KS 66762 (for VSOR) Publish 7/13, 7/16, 7/17(3)



**VERIFICATION**

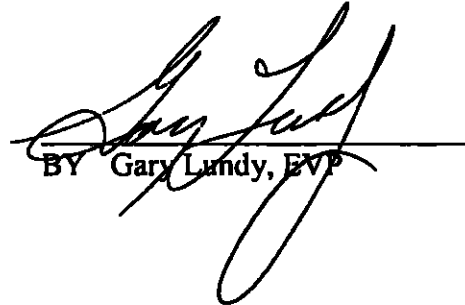
I, David Fiveash, Director, Marketing and Sales for the The Kansas City Southern Railway Company ("KCSR"), hereby verify that I am authorized to make this verification, that I have read the foregoing joint abandonment and discontinuance petitions for exemption, and that the facts contained therein pertaining to KCSR's ownership and operation of the subject rail line are true and accurate as stated to the best of my knowledge, information, and belief

  
[Signature]

Aug 21, 2007  
Dated

**VERIFICATION**

I, Gary Lundy, Executive Vice President of the Vicksburg Southern Railroad, Inc ("VSOR"), hereby verify that I am authorized to make this verification, that I have read the foregoing joint abandonment and discontinuance petitions for exemption, and that the facts contained therein pertaining to VSOR's lease and operation of the subject rail line are true and accurate as stated to the best of my knowledge, information, and belief

  
BY Gary Lundy, EVP

8-23-07  
Dated